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Board of Vocational Nursing
and Psychiatric Technicians

EDMUND G. BROWN JR.
Attorney General of California
GLORIA A. BARRIOS
Supervising Deputy Attorney General
M. TRAVIS PEERY
Deputy Attorney General
State Bar No. 261887
300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
Telephone: (213) 897-0962
Facsimile: (213) 897-2804
Attorneys for Complainant

**BEFORE THE
BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. VN-2007-2011

**KAREN ELIZABETH ALLISON, AKA
KAREN ELIZABETH RAMSEY, AKA
KAREN ELIZABETH EMERY
1208 Ohio Street
Redlands, CA 92374
Vocational Nurse License No. VN 190210**

A C C U S A T I O N

Respondent.

Complainant alleges:

PARTIES

1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this Accusation solely in her official capacity as the Executive Officer of the Board of Vocational Nursing and Psychiatric Technicians, Department of Consumer Affairs.

2. On or about December 14, 1999, the Board of Vocational Nursing and Psychiatric Technicians issued Vocational Nurse License Number VN 190210 to Karen Elizabeth Allison, aka Karen Elizabeth Ramsey, aka Karen Elizabeth Emery (Respondent). The Vocational Nurse License was in full force and effect at all times relevant to the charges brought herein and will expire on December 31, 2011, unless renewed.

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1 **JURISDICTION**

2 3. This Accusation is brought before the Board of Vocational Nursing and Psychiatric
3 Technicians (Board), Department of Consumer Affairs, under the authority of the following laws.
4 All section references are to the Business and Professions Code unless otherwise indicated.

5 **STATUTORY PROVISIONS**

6 4. Section 2875 of the Business and Professions Code (Code) provides, in pertinent part,
7 that the Board may discipline the holder of a vocational nurse license for any reason provided in
8 Article 3 (commencing with section 2875) of the Vocational Nursing Practice Act.

9 5. Section 118(b) of the Code provides, in pertinent part, that the expiration of a license
10 shall not deprive the Board jurisdiction to proceed with a disciplinary action during the period
11 within which the license may be renewed, restored, reissued or reinstated. Under section 2892.1
12 of the Code, the Bureau may renew an expired license at any time within four years after the
13 expiration.

14 6. Section 2878 of the Code states:

15 "The Board may suspend or revoke a license issued under this chapter [the Vocational
16 Nursing Practice Act (Bus. & Prof. Code, 2840, et seq.)] for any of the following:

17 "(a) Unprofessional conduct . . .

18 " . . .

19 "(j) The commission of any act involving dishonesty, when that action is related to the
20 duties and functions of the licensee."

21 7. Section 2878.5 of the Code states:

22 In addition to other acts constituting unprofessional conduct within the meaning of this
23 chapter [the Vocational Nursing Practice Act] it is unprofessional conduct for a person licensed
24 under this chapter to do any of the following:

25 "(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed
26 physician and surgeon, dentist or podiatrist administer to himself or herself or furnish or
27 administer to another, any controlled substance as defined in Division 10 of the Health and Safety
28 Code, or any dangerous drug as defined in Section 4022.

1 "

2 "(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any
3 hospital, patient, or other record pertaining to narcotics of dangerous drugs as specified in
4 subdivision (b)."

5 **REGULATORY PROVISIONS**

6 8. Title 16, California Code of Regulations ("CCR"), section 2518.6 states in pertinent
7 part:

8 "(a) A licensed vocational nurse shall safeguard patients'/clients' health and safety by
9 actions that include but are not limited to the following:

10 "

11 "(2) Documenting patient/client care in accordance with standards of the professions"

12 9. Title 16, CCR, section 2521 states in pertinent part:

13 "For the purposes of denial, suspension, or revocation of a license pursuant to Division 1.5
14 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be
15 considered to be substantially related to the qualification, functions or duties of a licensed
16 vocational nurse if to a substantial degree it evidences present or potential unfitness of a licensed
17 vocational nurse to perform the functions authorized by his license in a manner consistent with
18 the public health, safety, or welfare. Such crimes or acts shall include but not be limited to those
19 involving the following:

20 "

21 "(c) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
22 violation of, or conspiring to violate any provision or term of Chapter 6.5, Division 2 of the
23 Business and Professions Code.

24 "

25 "(f) Any crime or act involving the sale, gift, administration, or furnishing of "narcotics or
26 dangerous drugs or dangerous devices" as defined in Section 4022 of the Business and
27 Professions Code."

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1 **COST RECOVERY**

2 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
3 administrative law judge to direct a licensee found to have committed a violation or violations of
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
5 enforcement of the case.

6 **CONTROLLED SUBSTANCES**

7 11. "Hydromorphone Hydrochloride" or "Dilaudid" is a Schedule II controlled substance
8 as defined in Health and Safety Code section 11055, subdivision (b)(1)(k), and is categorized as a
9 dangerous drug pursuant to section 4022.

10 **FIRST CAUSE FOR DISCIPLINE**

11 **(Unlawful Possession of Controlled Substances)**

12 12. Respondent is subject to disciplinary action under section 2878, subdivision (a), as
13 defined by CCR title 16, section 2521, subdivisions (c) and (f), in conjunction with section
14 2878.5, subdivision (a), on the grounds of unprofessional conduct for obtaining or possessing
15 dangerous drugs in violation of law, in that during her assignment as a nurse in the Emergency
16 Room Inpatient Unit ("ERIP") at Redlands Community Hospital ("RCH") located in Redlands,
17 California, Respondent withdrew Dilaudid from the Omnicell dispensing machine for patients
18 who had no physician's orders, who were no longer in the ER, or who had already received the
19 narcotic from another nurse. The circumstances are as follows:

20 a. On or about December 4, 2007, Respondent unlawfully possessed the controlled
21 substance Dilaudid. At 1710 hours, a physician ordered Dilaudid 2mg for "Patient 1." At 1728
22 hours, Registered Nurse ("RN") Nesbit administered the Dilaudid 2mg to "Patient 1." At 1821
23 hours, Respondent withdrew Dilaudid 1mg from the Omnicell for "Patient 1". This dose was not
24 charted as administered or wasted.

25 b. On or about December 5, 2007, Respondent unlawfully possessed the controlled
26 substance Dilaudid. At 1920 hours, Respondent withdrew Dilaudid 2mg from the Omnicell for
27 "Patient 2." There was no physician order for Dilaudid for "Patient 2" and the dose was not
28 charted as administered or wasted.

1 c. On or about December 11, 2007, Respondent unlawfully possessed the controlled
2 substance Dilaudid. At 1829 hours Respondent withdrew Dilaudid 1mg from the Omnicell for
3 "Patient 3." There was no physician order for Dilaudid for "Patient 3" and the dose was not
4 charted as administered or wasted. "Patient 3" was admitted to ERIP on December 11, 2007 at
5 0352 hours.

6 d. On or about December 11, 2007, Respondent unlawfully possessed the controlled
7 substance Dilaudid. At 1126 hours, RN Avram administered Dilaudid 1mg to "Patient 4" in
8 accordance with a physician order. "Patient 4" then refused pain medications at 1201 hours and
9 1333 hours. At 1552 hours Respondent withdrew Dilaudid 2mg from the Omnicell for "Patient
10 4". This dose was not charted as administered or wasted.

11 e. On or about December 17, 2007, Respondent unlawfully possessed the controlled
12 substance Dilaudid. At 1847 hours Respondent withdrew Dilaudid 2mg from the Omnicell for
13 "Patient 5." There was no physician order for Dilaudid for "Patient 5" and the dose was not
14 charted as administered or wasted. "Patient 5" was seen in the ERIP on December 13, 2007.

15 f. On or about December 18, 2007, Respondent unlawfully possessed the controlled
16 substance Dilaudid. At 1807 hours, "Patient 6" was admitted to ERIP. At 1922 hours,
17 Respondent withdrew Dilaudid 1mg from the Omnicell for "Patient 6." There was no physician
18 order for Dilaudid for "Patient 6".

19 g. On or about December 21, 2007, Respondent unlawfully possessed the controlled
20 substance Dilaudid. "Patient 7" was discharged from ERIP at 1249 hours. At 1810 hours
21 Respondent withdrew Dilaudid 1mg from the Omnicell for "Patient 7." There was no physician
22 order for Dilaudid for "Patient 7."

23 h. On or about December 25, 2007, Respondent unlawfully possessed the controlled
24 substance Dilaudid. At 1407 hours, Respondent withdrew Dilaudid 1mg from the Omnicell for
25 "Patient 8." There was no physician order for Dilaudid for "Patient 8" and the dose was not
26 charted as administered or wasted.

27 i. On or about January 8, 2008, Respondent unlawfully possessed the controlled
28 substance Dilaudid. At 1939 hours, Respondent withdrew Dilaudid 1mg from the Omnicell for

1 "Patient 9." There was no physician order for Dilaudid for "Patient 9" and the dose was not
2 charted as administered or wasted.

3 j. On or about January 11, 2008, Respondent unlawfully possessed the controlled
4 substance Dilaudid. At 1831 hours, Respondent withdrew Dilaudid 1mg from the Omnicell for
5 "Patient 10." There was no physician order for Dilaudid for "Patient 10" and the dose was not
6 charted as administered or wasted. "Patient 10" had complained of fever and body aches but not
7 pain.

8 k. On or about January 15, 2008, Respondent unlawfully possessed the controlled
9 substance Dilaudid. At 1323 hours, RN Kleinberg withdrew Dilaudid 1mg from the Omnicell
10 and administered to "Patient 11" in accordance with a physician order. At 1352 hours,
11 Respondent withdrew Dilaudid 1mg from the Omnicell for "Patient 11." The dose was not
12 charted as administered or wasted.

13 l. On or about January 15, 2008, Respondent unlawfully possessed the controlled
14 substance Dilaudid. At 1758 hours, Respondent withdrew Dilaudid 1mg from the Omnicell for
15 "Patient 12." There was no physician order for Dilaudid for "Patient 12" and the dose was not
16 charted as administered or wasted. "Patient 12" had complained of nausea, vomiting, and blood
17 in stool but no pain.

18 m. On or about January 18, 2008, Respondent unlawfully possessed the controlled
19 substance Dilaudid. At 0850 hours, RN Avram administered Morphine 5mg to "Patient 13" in
20 accordance with a physician order. At 1051 hours, Respondent withdrew Dilaudid 1mg from the
21 Omnicell for "Patient 13." There was no physician order for Dilaudid for "Patient 13" and the
22 dose was not charted as administered or wasted.

23 n. On or about January 26, 2008, Respondent unlawfully possessed the controlled
24 substance Dilaudid. At 1151 hours, Respondent withdrew Dilaudid 1mg form the Omnicell for
25 "Patient 14." There was a physician order for Dilaudid 1mg for "Patient 14," but the patient had
26 been discharged home at 1140 hours. The Dilaudid 1mg dose withdrawn by Respondent was not
27 charted as administered or wasted.

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1 o. On or about January 29, 2008, Respondent unlawfully possessed the controlled
2 substance Dilaudid. At 0733 hours, Respondent withdrew Dilaudid 1mg from the Omnicell for
3 “Patient 15.” There was no physician order for Dilaudid for “Patient 15” and the dose was not
4 charted as administered or wasted. “Patient 15” had complained of fever, cough, and sore throat.

5 p. On or about January 29, 2008, Respondent unlawfully possessed the controlled
6 substance Dilaudid. At 1837 hours, Respondent withdrew Dilaudid 1mg from the Omnicell for
7 “Patient 16.” There was a physician order for Norco 5/325mg for “Patient 16” but no physician
8 order for Dilaudid. The Dilaudid 1mg dose withdrawn by Respondent was not charted as
9 administered or wasted.

10 q. On or about February 4, 2008, Respondent unlawfully possessed the controlled
11 substance Dilaudid. At 1719 hours, Respondent withdrew Dilaudid 1mg from the Omnicell for
12 “Patient 17.” There was no physician order for Dilaudid for “Patient 17” and the dose was not
13 charted as administered or wasted.

14 r. On or about February 4, 2008, Respondent unlawfully possessed the controlled
15 substance Dilaudid. At 1911 hours, Respondent withdrew Dilaudid 1mg from the Omnicell for
16 “Patient 18.” There was no physician order for Dilaudid for “Patient 18” and the dose was not
17 charted as administered or wasted.

18 s. On or about February 4, 2008, Respondent unlawfully possessed the controlled
19 substance Dilaudid. At 0851 hours, Respondent withdrew Dilaudid 1mg from the Omnicell for
20 “Patient 19.” The dose was not charted as administered or wasted. At 1050 hours a physician
21 ordered Dilaudid 2mg for “Patient 19” and at 1051 hours RN Allen withdrew from the Omnicell
22 Dilaudid 2mg for “Patient 19.”

23 t. On or about February 9, 2008, Respondent unlawfully possessed the controlled
24 substance Dilaudid. At 1700 hours, Respondent withdrew Dilaudid 1mg from the Omnicell for
25 “Patient 20.” There was no physician order for Dilaudid for “Patient 20” and the dose was not
26 charted as administered or wasted.

27 u. On or about February 12, 2008, Respondent unlawfully possessed the controlled
28 substance Dilaudid. At 1015 hours, Respondent withdrew Dilaudid 2mg from the Omnicell for

1 “Patient 21.” There was no physician order for Dilaudid for “Patient 21” and the dose was not
2 charted as administered or wasted.

3 v. On or about February 12, 2008, Respondent unlawfully possessed the controlled
4 substance Dilaudid. At 1808 hours, Respondent withdrew Dilaudid 1mg from the Omnicell for
5 “Patient 22.” There was no physician order for Dilaudid for “Patient 22” and the dose was not
6 charted as administered or wasted.

7 w. On or about February 18, 2008, Respondent unlawfully possessed the controlled
8 substance Dilaudid. At 1925 hours, Respondent withdrew Dilaudid 1mg from the Omnicell for
9 “Patient 23.” There was no physician order for Dilaudid for “Patient 23” and the dose was not
10 charted as administered or wasted. “Patient 23” was being seen for asthma.

11 x. On or about February 26, 2008, Respondent unlawfully possessed the controlled
12 substance Dilaudid. At 1345 hours, Respondent withdrew Dilaudid 1mg from the Omnicell for
13 “Patient 24.” There was no physician order for Dilaudid for “Patient 24” and the dose was not
14 charted as administered or wasted.

15 y. On or about February 26, 2008, Respondent unlawfully possessed the controlled
16 substance Dilaudid. At 1630 hours, Respondent withdrew Dilaudid 1mg from the Omnicell for
17 “Patient 25.” There was no physician order for Dilaudid for “Patient 25” and the dose was not
18 charted as administered or wasted.

19 **SECOND CAUSE FOR DISCIPLINE**

20 **(Falsifying Entries in Hospital or Patient Records)**

21 13. Respondent is subject to disciplinary action under section 2878, subdivision (a), as
22 defined by CCR title 16, section 2518.6, subdivision (a)(2), in conjunction with section 2878.5,
23 subdivision (e), for falsifying entries in hospital and patient records pertaining to narcotics or
24 dangerous drugs. Complainant refers to and incorporates all the allegations contained in
25 paragraph 12, subparagraphs a-y, as though set forth fully.

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1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Commission of Acts Involving Dishonesty)**

3 14. Respondent is subject to disciplinary action under section 2878, subdivision (j), for
4 committing acts involving dishonesty. Complainant refers to and incorporates all the allegations
5 contained in paragraph 12, subparagraphs a-y, as though set forth fully.

6 **PRAYER**

7 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
8 and that following the hearing, the Board of Vocational Nursing and Psychiatric Technicians
9 issue a decision:

10 1. Revoking or suspending Vocational Nurse License Number VN 190210, issued to
11 Karen Elizabeth Allison, aka Karen Elizabeth Ramsey, aka Karen Elizabeth Emery;

12 2. Ordering Karen Elizabeth Allison to pay the Board of Vocational Nursing and
13 Psychiatric Technicians the reasonable costs of the investigation and enforcement of this case,
14 pursuant to Business and Professions Code section 125.3; and

15 3. Taking such other and further action as deemed necessary and proper.

16
17
18 DATED: January 12, 2011



19 TERESA BELLO-JONES, J.D., M.S.N., R.N.
20 Executive Officer
21 Board of Vocational Nursing and Psychiatric Technicians
22 Department of Consumer Affairs
23 State of California
24 Complainant

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